

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

ORIGINAL FILE Room 222  
DOCKETS

17 FEB 1993

IN REPLY REFER TO:  
7330-7/1700A3

RECEIVED

FEB 23 1993

Honorable Harry Reid  
United States Senate  
Washington, D.C. 20510

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Senator Reid:

This is in reply to your letter of February 4, 1993, in which you inquired on behalf of your constituent, William J. Henkel, Sr., regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Henkel is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

No. of Copies rec'd  
List A B C D E

0+1

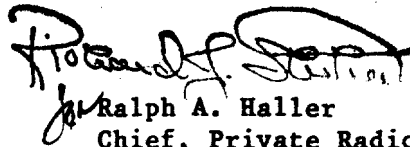
Honorable Harry Reid

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", is written over a printed name and title.

Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures:

Notice

Order

Discussion paper

# Congressional

DUE: 2-12-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
02/05/93

## LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300420	02/05/93	02/04/93	02/18/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Harry Reid	BC

CONSTITUENT'S NAME	SUBJECT
William Henkel	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE/Lmm 55-93			
DATE	DATE	DATE	DATE
02/05/93			

REMARKS: Respond to the attention of Kim Bengtson.

RECEIVED  
FEB 10 1993  
FBI

United States Senate

WASHINGTON, D.C. 20510

February 4, 1993

PRB  
92-235  
420

Ms. Lou Sizemore  
Congressional Liaison  
Federal Communications Commission  
1919 M Street, NW  
Room 808  
Washington, D.C. 20554

Dear Ms. Sizemore:

Enclosed is a letter I have received from Mr. William Henkel.

I would appreciate your reviewing this situation and providing me with answers to my constituent's concern. Please send your reply to the attention of Kim Bengtson.

Thank you for your cooperation and assistance. I look forward to receiving your response soon.

With all best wishes,

Sincerely,



HARRY REID  
United States Senator

HMR/kjb  
Enclosure

The Honorable Harry Reid  
U.S. Senate

Washington D.C. 20510

Dear Senator,

93 JAN 25

AMW:55

114753

At the end of 1992 the Federal Communications Commission issued a Notice of Proposed Rule Making (NPRM - PR Docket 92-235). Implementation of the document would have a profound effect on model frequency use. Developed by the Mobile Land Service, the proposal creates a massive frequency restructuring - the first of its type in 60 years. Hell! We've been building and flying model airplanes for over 60 years. "Model airplanes! What is this?" You may ask. Read on Senator. You have heard of our club (Hq Chapter of the QSAA, and the Las Vegas Radio Control Club.) How about the Tournament of Champions, or the Scale Masters? How about Bill Bennett and the Circus Circus flying field by the Silver Bowl Stadium. Also the newly opened North Las Vegas Flying field out west off Horse Rd.

Yes Senator, we may only fly model airplanes but our sales tax keeps the lights on in the Governors house, or maybe even pay the rent of your local office. Enclosed is a copy of a letter I'm sending to President of the U.S. All this pertains to the Mobile Land Service, for wanting to inject 2 more channels between our channels that we use for model airplane Radio Control.

Safety is our number on priority, hereas flying is only secondary. We only have so many channels in the 72 and 75 Mhz frequencys. They want to put two high powered channels between our channels,. We are as narrow banded as we feel safe to go. "With two more channels used by the Mobile Land Service between our channels, then we have no safety factor. Lets say I'm flying on channel 28 at the Eldorado dry lake, you turn on your radio telephone while driving to searchlight from Las Vegas. OK! My plane goes out or control and hits someone. Sure I'm insured by SFA or AMA, but when was your Radio transmitter last checked to insure it is on the right frequency. I have mine checked each year. Enclosed is a copy of the contest calender for some of the west coast clubs and organizations of California, Nevada and Arizona. If you think of us as just a few modelers, then Senator maybe you or one of your aids should stop by the Silver Bowl or Eldorado dry lake some week end and look around. Give the SFA or AMA a call and see what their membership for insurance is.

Thank you Senator, and I hope you at least take the time from your busy schedule to at least look at this letter. We may not be a big organization but we are the working people of America.

enclosures, 4

- 1 President
- 2 Representative Bilbrav
- 3 Frequency Alert
- 4 contest calender

*William J. Henkel Sr.*

William J. Henkel Sr.  
Editor, Quarter Scaler Magazine  
3909 Sequoia Ave..  
Las Vegas, NV. 89110

President of the United States  
1600 Pennsylvania Ave.  
Washington, D.C.

Editors:  
William J. Henkel Sr.  
Kristina R. Henkel

Dear Mr. President,

I know Mr. President, you may never see this letter, but for the record and archives, I'm still going to write.

The FCC has a notice of proposed rule making (NPRM - PR DOCKET 92-235). Implementation of the document would have a profound effect on model frequency use. Developed by the Mobile Land Service, the proposal creates a massive frequency restructuring. Big deal! The first in 60 years. Where have they been? We have been flying model airplanes for over 60 years. "What !! Model airplanes, throw that letter in the trash," you say. OK! But first have one of your aids check out how much taxes are paid by the companies that manufacture model airplanes, cars, boats, and helicopters. I'm sure it will be in the billions of dollars. Whats with the Mobile Land Service? Whats wrong with 71, 73, 74 or 76 Mhz? We only have 72 and 75 Mhz. They want to put two more channels between our channels and use high power radio and telephone communications.

We have our assigned Frequencies divided into very narrow band channels, and the Mobile Land Service wants to put two more channels between each of our channels. I'm sure that when you pick up the radio telephone in your car and have interference, you just hang up and travel a couple blocks, then call again. But do you have interference? Most likely not. But what happens when we are flying a thousand dollar model airplane and you happen to drive by 3 miles away, turn on your radio telephone and we crash or plow our plane into some one and kill them. Is it your fault or ours? You wouldn't even know what happened until you read the paper the next day.

We carry insurance up to one million dollars. What is that to a life? We try to have our flying fields far from the public to insure their safety. We have rules and regulations for safety. Having fun is number two to us. Safety is our number one priority. Safety to pilots, other pilots, spectators and the general public is our main concern before we even start our engines. But with this new rule we can't even think about who's safety we should be concerned with.

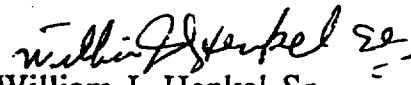
We the members of the Sports Flyers Association and the Academy of

Model Aeronautics, fly model air planes for fun, competition and stress management . You know what fun is. You were Governor. Wasn't it fun to have one of your pet projects turn out great? Competition... You just went through the biggest competition in your life, and we came out winning. I can only imagine the satisfaction you had when we won. Your first time in the BIG, BIG, BIG league, and winning. What satisfaction you must have felt. My satisfaction is building a model air plane, taking it off, flying around for 20 minutes and then landing. What satisfaction I get when I say to myself, "I build it, flew it and its still in one piece." I'm the boss of it. It does what I tell it to do. I'm really satisfied.

Stress management! What kind do you have? Presidents Eisenhower played golf, so did Ford, Kennedy played football, Truman took long walks, Bush went fishing, Reagan talked politics, Roosevelt had a girl friend and Carter went home to his mother. We of the SFA and AMA leave our jobs behind for a few hours to relieve our tensions by working on our models and having fun flying.

Enclosed is a schedule of coming events from different R/C clubs on the west coast. These events are not for just 10 or 20 modelers but for 150 to 250 pilots plus thousands of spectators. I know there are clubs in and around the Washington D.C. area. Maybe it would be a good idea for you to make an unannounced trip to one of the flying fields on a nice calm day and see what goes on. Maybe you could just send your wife out for a fun day and let her take a look. She would make a fabulous and beautiful ambassador to us modelers and taxpaying workers. Eleanor did it, and got Franklin elected 3 times.

So Mr. President I'll close for now. I hope the 4,000 dollars I paid in taxes last year and all the rest who paid the same, keep the lights on in the White House for the next thousand years.

  
William J. Henkel Sr.  
Editor  
Quarter Scaler Magazine  
3909 Sequoia Ave.  
Las Vegas, NV. 89110

The Honorable Jim Bilbray  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Bilbray,

At the end of 1992 the Federal Communications Commission issued a Notice of Proposed Rule Making (NPRM - PR Docket 92-235). Implementation of the document would have a profound effect on model frequency use. Developed by the Mobile Land Service, the proposal creates a massive frequency restructuring - the first of its type in 60 years. 60 years is nothing to the years that we have been building model airplanes. Enclosed is a copy of a letter I'm sending to President Clinton. I'm also writing to Senator Harry Reid. Also enclosed is a contest calendar for the events being held in California, Nevada and Arizona for 1993. This is only 3 of the 50 states. These contests are not only for 10 to 20 pilots but for 150 to 250 pilots, and thousands of spectators. Just for an example our 16th annual October fly in in 1992. We reserved the entire Nevada Palace. They set up a 6000 square foot tent for our static display and for our annual banquet. We flew our model planes at the Eldorado Dry lake for 3 days and had thousands of spectators, plus about 120 vendors from all over the country.

Our Quarter Scaler Magazine only has 750 members, but they are from all over the world, France, Germany, Sweden, Australia, New Zealand, South Africa and England. We don't have the big bucks that the Mobile Land Service has, but we still pay our 20% of the taxes or more. The sales tax we pay will keep the lights on in your local office for many years to come. If you don't feel that this is a big issue, then stop at a local flying field and ask some one about the interference we get without having other channels between ours.

Safety is our number one priority, flying is second. So with the new extra channels, we won't be able to look out for safety, because anyone driving by within 3 miles could cause our planes to crash or hit someone and no one would know why.

I and other pilots carry one million dollars worth of insurance through the SFA or AMA, for any accident. What insurance does a radio telephone user have? We have our radio transmitters checked each year. Does a radio telephone owner have his checked to make sure he is on the correct frequency.

We have 72 and 75 Mhz, why can't the mobile Land Service go to another frequency. We are just out there to have fun without having to worry about hitting someone.

Mr Bilbray I'm, asking you to stop PR Docket 92-2356, for the safety of the public and our hobby. Our flying fields are miles away from the public,



our power is low and our pilots are safety minded. but with the new channels injected between ours, why should we worry about safe flying or even paying for insurance. Mr Bilbray give us a break, our channels are as narrow as we can safely be.

We of the SFA and AMA have gone beyond the guild lines of the FCC, by making our channels even more narrow banded than required, and by doing so the FCC wants to use our safety margin to give the frequency to some one else with a radio telephone that puts out over 100 times more power than we do.

Thank you for taking the time from your busy schedule to read this letter.

*William J. Henkel Sr.*  
William J. Henkel Sr.  
Editor, Quarter Scaler Magazine  
3909 Sequoia Ave.  
Las Vegas, NV. 89110

## Frequency Alert!

At the end of 1992 the Federal Communications Commission issued a Notice of Proposed Rule Making (NPRM - PR Docket 92-235). Implementation of the document would have a profound effect on model frequency use. Developed by the Mobile Land Service, the proposal creates a massive frequency restructuring - the first of its type in 60 years.

While the 455 page document addresses frequency use in another service, (Part 88 of the Code of Federal Regulations) it will also affect Part 95 where the RC frequency use lives. With out becoming too technical the restructuring inserts two new frequencies between those presently assigned for modeling use and commercial users. That means we could have a user, higher in power, transmitting only 2.5 KHz away from many of our 72 MHz and 75 MHz frequencies!

### Example:

Model Channel 12 - 72.030 MHz  
    new insert       72.0325 MHz  
    new insert       72.0375 MHz  
Present Commercial 72.040 MHz

Not only are these users very close to our frequencies, they are also designated as "mobile" therefore we would never know where they are operating, including right in the pit area at your field! Our equipment will not be free from interference at this spacing! The technical specifications suggest other concerns may exist as well.

The Academy of Model Aeronautics and Radio Control Manufacturers Association are enlisting your aid in contacting the FCC to express our concern. We've been urged by counsel, to use "every arrow in our quiver" to address this proposal. You and your club are arrows that can help us make our point!

Below you will find a listing for the FCC, and the United States congress. You are strongly urged to write NOW! to those persons and agencies representing you, expressing your concern! The NOW! is very important since the deadline date for comments is February 26, 1993!

The AMA, with R/CMA's support is now filing a formal letter of comment through their legal counsel. Three concerns will be used in objecting to the proposal.

1. Safety! RC models are not the silk and tissue items of years ago.
2. Economic impact.
3. The number of individuals impacted.

Be assured that we will monitor all actions in this matter carefully and pursue all avenues available. All arrows will be expended! YOU are one of them! Your target must be noted in your letter. It is referred to by the FCC as NPRM PR Docket 92-235.

These persons or agencies will count the hits!

Senator:	To a Representative:	FCC
The Honorable (name)	The Honorable (name)	1919 M St, NW
United States Senate	United States House of Rep.	Washington, DC
Washington, DC 20510	Washington, DC 20515	20554

*Harry Reid*

*Tim B. Ebray*

Contact the AMA T

al Department for questions or concerns

- JANUARY** 8-9-10 IMS Modeler Show, Pasadena, Ca.  
17 Bridi Air Cruiser Race, Riverside R/C Club, Perris Field  
16-17 Warbird Race, Sun Valley Flyers, Cave Buttes, Az.  
23-24 Q-500, ProFlyers, Phoenix, Az
- FEBRUARY** 6-7 Winter Pattern, AVTI, Lancaster  
6-7 IMAC Cactus Classic, Az. Model Aviators, Spook Hill, Az.  
13-14 Pattern Championships, Sun Valley Flyers, Cave Buttes  
19-20-21 Frontier Jet Shootout, Sun Valley Flyers, Cave Buttes, Az  
21 Bridi Air Cruiser Race, SGVRCL, Whittier Narrows  
26-27-28 Formula I Pylon Race, ProFlyers, Phoenix, Az
- MARCH** 6-7 Gun Smoke-Scale Masters Qualifier, Az Model Aviators, Spook Hills, Az.  
6-7 Pattern, Tucson R/C Club, Tucson, Az  
7 Q-500, Az. R/C Society, Mustang Field  
14 Club Fun Fly, Valley Flyers, Sepulveda Basin  
14 Giant Fly-In, SGVRCL/Chap 3 QSAA, Whittier Narrows  
20-21 1/8 Air Force Scale Fly-In, 1/8 AF, Adobe Mtn. Park Az  
26-27-28 Rainbow Warbirds Race, ProFlyers, Phoenix, Az  
27-28 2nd Annual Fomoso Shootout, Pattern, BARKS, Bakersfield  
27-28 Giant Rally Of The Century, Century Flyers, Elsinore Field  
28 Warbird Race, WWII War Birds Assoc, Sepulveda Basin
- APRIL** 3-4 Valley Flyers Pattern, Valley Flyers, Sepulveda Basin  
3-4 Giant Scale Rally, Tucson R/C Club, Tucson, Az  
17-18 Bob Downey Memorial Formula I, SGVRCL, Whittier Narrows  
17-18 Pattern, MARKS, San Bernardino  
18 Breakfast & Warbird Race, Az. Model Aviators, Spook Hills, Az  
24-25 Scale Un-Contest, Scale Squardon, Mile Square Park
- MAY** 1-2 Water Fly-In, Lake Elsinore R/C Club, Lake Elsinore  
1-2 Warbird Race, Airzona R/C Society, Mustang Field, Az  
1-2 Q-500 Race, ProFlyers, Phoenix, Az  
2 Spring Fly-In, Sierra Madre R/C Modelers, Sierra Madre Field  
15-16 Sedona Fly-In, Central Arizona Modelers, Sedona, Az  
15-16 The 2nd Annual Calif. R/C Marathon & Air Show, OCRCC, Baker, Ca.  
15-16 Giant Fly-In, Channel Island Condors, Camarillo  
15-16 Pattern, Birds Club, Mile Square Park  
15-16 Hollywood Nats Formula I, NMPRA, Sepulveda Basin  
22-23 Spring Classic Pattern, LVRC, Las Vegas, Nev.  
22-23 Giant Scale Fly-In, Giant Scale Squardon, Sepulveda Basin  
28 High School Competition, Compton Tail Spinners  
30 Q-500, SGVRCL, Whittier Narrows
- JUNE** 5-6 Formula I Race, Valley Flyers, Sepulveda Basin  
12-13 Pattern, Simi Valley Flyers, Simi  
12-13 9th Annual Giant Scale Fly-In, Slo Flyers, San Luis Obispo  
20 Club Fun-Fly, Valley Flyers, Sepulveda Basin  
25-26-27 Scale Masters Qualifier, Scale Squardon, Mile Square Park  
27 AT6 House of Balsa Race, WWII War Bird Assoc, Sepulveda Basin  
26-27 Formula I Race, BARKS, Bakersfield  
26-27 Pattern, Channel Island Condors, Camarillo
- JULY** 11 Q-500, Valley Flyers, Sepulveda Basin  
11 Bridi Air Cruiser Race, SGVRCL, Whittier Narrows  
17-18 Pattern, Channel Island Condors, Camarillo  
17-18 OCRCC Annual Air Carnival - Fun Fly, OCRCC, Mile Square Park  
17-26 NATIONAL MODEL AIRPLANE CHAMPIONSHIPS, LAWRENCEVILLE, IN.
- AUGUST** 1 Mile Square Park Air Show & Open House, OCRCC & Scale Sq. Mile Sq.  
8 Q-500, SGVRCL, Whittier Narrows  
14-15 QSAA, Fly-In, OCRCC Chap 27, Mile Square Park  
21-22 Formula I, Crows Landing, Modesto  
29 Warbird Race, WWII War Bird Assoc., Sepulveda Basin